

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Sri T.Nandaiah, Jt. Director of Agriculture, East Godavari at Kakinada – Departmental Proceedings under Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 – Articles of charges – Issued.

AGRICULTURE AND COOPERATION (VIG I) DEPARTMENT

G.O.Rt.No. 566

Dated: 29-04-2010.

Read the following:-

1. From Vigilance Report No. 165 (C.No. 1552/V&E/ CS/2008), dated 30-12-2008.
2. From the C&DA, Hyd. Lr.No.Vig.I(1)407/2008, dated 26-5-2009.

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ORDER :-

It is proposed to hold an enquiry against the said Sri T.Nandaiah, Jt. Director of Agriculture, East Godavari at Kakinada in accordance with procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the enquiry is proposed to be held is set out in the enclosed statement of Article of Charges (Annexure-I). A list of witnesses by whom, and a list of documents by which the articles of charge are proposed to be sustained are enclosed (Annexure-II and III).

3. Sri T.Nandaiah, Jt. Director of Agriculture, East Godavari at Kakinada is directed to submit within 10 days of the receipt of this G.O. a written statement of his defence and also to state whether he desires to be heard in person.

4. Sri T.Nandaiah, is further informed that an Inquiry will be held only in respect of those articles of charge as are not admitted. He should therefore, specifically admit or deny the article of charge.

5. Sri T.Nandaiah, Jt. Director of Agriculture, East Godavari at Kakinada is further informed that if he does not submit his written statement of defence on or before the date specified in para-3 above, further action will be processed based on the material available.

6. Attention of Sri T.Nandaiah, Jt. Director of Agriculture, East Godavari at Kakinada is invited to rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government servant shall bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings it will be presumed that Sri T.Nandaiah, Jt. Director of Agriculture, East Godavari at Kakinada is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of rule 24 of the A. P. Civil Service (Conduct) Rules, 1964.

7. The receipt of this G.O. shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RACHEL CHATTERJEE
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To

Sri T.Nandaiah, Jt. Director of Agriculture, East Godavari at Kakinada
(through the C&DA, Hyderabad.)

Copy to:

The Commissioner & Director of Agriculture, Hyderabad with a request to serve the order on the charged officer and return the served copy with dated ack.,
SC/Sf.

// FORWARDED BY ORDER //

SECTION OFFICER

ANNEXURE-I

Statement of article of charge framed against Sri T.Nandaiah, Jt. Director of Agriculture, East Godavari at Kakinada.

Articles of charge: That the said Sri T.Nandaiah, Jt. Director of Agriculture, East Godavari at Kakinada has failed to file a case under section 6-A of E.C. Act, 1955 when the fertilizer stocks were seized and issued instructions for sale of the seized stock. Thus violated the Rule-3 of APCS (Conduct) Rules, 1964”.

Basis of the charge: It has been brought to the notice of the disciplinary authority by the Vigilance and Enforcement department that the individual failed to file a case under section 6-A of E.C. Act, 1955 when the fertilizers stocks were seized and issued instructions for sale of the seized stock.

The Joint Director of Agriculture, East Godavari at Kakinada has stated that due to immediate necessary of fertilizers in the village the seized fertilizers were sold to the farmers of the village by M.A.O., & A.D.A., Rajahmundry and a detailed note has been submitted to the Collector, East Godavari District.

Further the Vigilance & Enforcement Department has stated that the explanation of JDA, East Godavari District is not convincing as he failed to explain the reasons for not filing case u/s 6-A of E.C. Act, 1955. He issued instructions for sale of seized stock of fertilizer with out following the provisions of the E.C. Act. He has not assessed the situation and obtained prior approval from the District Collector. This clearly confirms his acceptance of the transgression. Thus the officials of Agricultural Department, East Godavari District have ignored the provisions of the Act and accepted as per their whims and fancies which will become wrong precedence in future cases.

The above narration tends to prove that Sri T.Nandaiah, JDA, Kakinada, East Godavari District has not devoted to his duty and also tends to show that he has not maintained absolute discipline, integrity and sense of propriety. Thus he violated Rule 3 of A.P.C.S. (Conduct) Rules, 1964.

Hence the charge.

**RACHEL CHATTERJEE
SPECIAL CHIEF SECRETARY TO GOVERNMENT**

SECTION OFFICER

ANNEXURE –II

List of documents by which the article of charge framed against Sri T.Nandaiah, Jt. Director of Agriculture, East Godavari at Kakinada are proposed to be sustained.

1. No. Fert.II(2)1162/08, Dated: 3-5-2009 U.O.Note with Govt. Memo.No.807/ Vig.I/2009-1, A&C (Vig.I) Dept., Dated: 24-4-2009 along with Vigilance Report No.165 (C.No.1552/V&E/CS/2008, G.A. (V&E) Dept., dt: 30.12.2008.

**RACHEL CHATTERJEE
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SECTION OFFICER

ANNEXURE –III

List of witnesses by whom the article of charge framed against Sri T. Nandaiah, Jt. Director of Agriculture, East Godavari at Kakinada are proposed to be sustained.

--NIL--

**RACHEL CHATTERJEE
SPECIAL CHIEF SECRETARY TO GOVERNMENT**

SECTION OFFICER